

## STORM & HEMINGWAY

A LIMITED LIABILITY PARTNERSHIP

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### INTELLECTUAL PROPERTY LAW

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April 2, 2004

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VIA FACSIMILE (713) 877-1145

Re: *Expense Networks, Inc. v. Catalina Marketing Corp.*  
Civil Action No. 02-CV-2857 in the Eastern District of Pennsylvania  
Our Ref. No. CATA 02815 LPAT

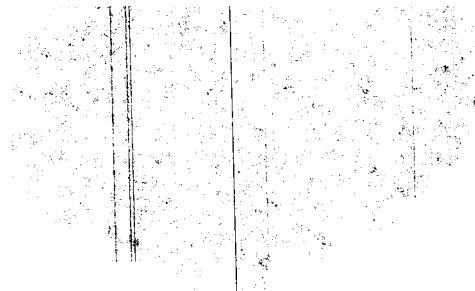
Dear Ed:

In response to Plaintiff's letter to Court today, Defendant hereby designates at least the following claim terms as needing construction by Plaintiff. To the extent a phrase indicated below contains discrete subparts (e.g. "receiving the advertisement profile") each subpart must be defined (e.g. "receiving" and "advertisement profile.")

U.S. No. 6,216,129

### Claim 1

"computer implemented method";  
"selecting a targeted advertisement";  
"profile of the consumer";  
"generated from";  
"detailed purchase records"  
"profile for each advertisement";  
"identifies"  
"discretionary characteristics";  
"intended target market";  
"receiving the advertisement profile";  
"retrieving the consumer profile";  
"wherein the detailed purchase records used to generate the consumer profile include multiple point-of-sale transactions."  
"calculating a correlation factor between":



**STORM & HEMINGWAY, L.L.P.**

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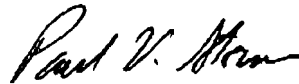
"scalar product of the consumer profile and the advertisement profile"; and  
"selecting"... "responsive to said calculating a correlation factor."

U.S. No. 6,298,348

**Claim 1**

"a computer implemented method"  
"generating a profile of a consumer";  
"based on multiple purchases made by the consumer";  
"accumulated in detailed in purchase records";  
"retrieving the detailed purchase records";  
"retrieving product characterization information associated with products";  
"a set of heuristic rules";  
"probabilistic measure";  
"demographic characteristics";  
"generating a profile of the consumer based on";  
"demographic profile"; and  
"generated from the detailed purchase records and the set of heuristic rules."

Sincerely,



Paul V. Storm

cc: Edward W. Goldstein, Esq.  
Steven M. Coren, Esq.  
Justin Summer, Esq.  
Camille Miller, Esq.

*Via Facsimile*  
*Via Facsimile*  
*Via Electronic Mail*  
*Via Electronic Mail*